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**Sherman &  
Shalloway**

# Fax

**To:** Examiner Acquah

**From:** Robert L. Haines

**Fax:** 703-872-9051

**Pages:** 5

**Phone:**

**Date:** 5/6/02

**Re:** Serial No.: 10/024,319

**CC:**

Our Docket ZU-388/DIV

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

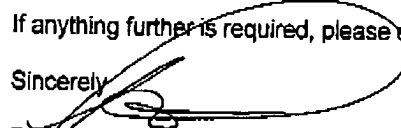
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Mr. Acquah:

In accordance with our telephonic conversation of this morning, transmitted herewith are copies of the substitute abstract and response to notice to file missing parts which were filed in the subject application on February 14, 2002. Included is a copy of our postcard receipt for same showing receipt of these items by the PTO on February 14, 2002.

If anything further is required, please contact us.

Sincerely,

  
Robert L. Haines  
Reg. No. 35,533

MAY. 6. 2002 10:10AM

SHELMAN & SHALLOWAY

NO. 5225 P. 2

# 8C  
7-23-02  
IPA

ZU-388/Div

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Takeshi OHMATSUZAWA, et al.

Serial No.: 10/024,319

Group: 1711

Filed: December 21, 2001

Examiner:

FOR: CATALYST FOR POLYESTER PRODUCTION. PROCESS FOR PRODUCING  
POLYESTER USING THE CATALYST, POLYESTERE OBTAINED BY THE PROCESS,  
AND USES OF THE POLYESTER

Date: February 14, 2002

The Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**SUBMISSION OF SUBSTITUTE ABSTRACT AND RESPONSE TO NOTICE TO FILE  
MISSING PARTS**

Sir:

Responsive to the Notice to File Missing Parts mailed February 5, 2002. Applicants herewith submit a revised abstract not exceeding 150 words in length in accordance with 37 CFR 1.72(b). Applicants respectfully submit that the substitute abstract has been produced by editing the abstract originally filed in the subject application and that no new matter has been entered.

The Notice to File Missing Parts, indicates that "the oath or declaration is missing" from the application and requires submission of a properly signed oath or declaration together with the late fee surcharge of \$130.00

Applicants respectfully point out that the subject application is a divisional of Applicants' prior application Serial No. 09/470,664, filed December 22, 1999. As such it is proper to submit

a copy of the executed oath or declaration from the parent application in accordance with 37 CFR 1.63(d). Applicants submitted such a copy with the copy of the parent application specification when the present divisional application was filed and a copy of Applicants' stamped postcard filing receipt showing the USPTO date stamp and evidencing the filing of the copy of the declaration is attached hereto.

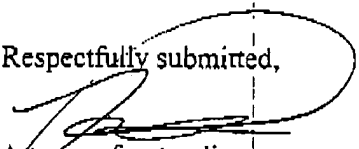
In view of the foregoing, Applicants respectfully submit that the Notice to File Missing Parts has been improperly issued, that a proper oath or declaration was filed with the application and that the identified surcharge is not owed.

Solely for the convenience of the Examiner, Applicants herewith provide a further copy of the executed declaration from the parent application of this divisional.

Also attached is the required copy of the Notice to File Missing Parts.

Inasmuch as all filing requirements have been complied with, Applicants respectfully request passage of the subject application to the Examining Group.

Respectfully submitted,

  
Attorney for Applicants  
Robert L. Haines  
Reg. No. 35,533

SHERMAN & SHALLOWAY  
P.O. BOX 788  
Alexandria, Virginia 22313  
(703) 549-2282

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Takeshi OHMATSUZAWA, et al.  
Serial No.: 10/024,319

Filed: December 21, 2001

For: Catalyst for Polyester Production, Process for  
Producing Polyester using the Catalyst, Polyester Obtained  
by Process and Uses of the Polyester

Papers filed: Submission of substitute abstract and  
response to notice to file missing parts, Substitute  
abstract, Copy of Postcard receipts dated 12/21/01,  
Copy of declaration from parent application, Copy of  
notice to file missing parts, Second preliminary amendment

ZU-388/DIV

FEB 14 2002

February 14, 2002